

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS**

Thursday, January 13, 1994

9:00 a.m. - 10:00 a.m.	Continued Appeal of San Juan Fidalgo Holding Co., Inc. of Hearing Examiner's Decision Re: Final Plat Approval of Preliminary Plat of Seaview IV.
10:00 a.m. - 11:00 a.m.	Skagit County City/County Planning Policies Meeting.
2:00 p.m. - 4:00 p.m.	Meeting with State Timber Counties (Washington State Association of Counties, Olympia)

The Skagit County Board of Commissioners met in regular session on Thursday, January 13, 1994, with Commissioners Robert Hart, harvey Wolden and Robby Robinson present.

CONTINUED APPEAL BY SAN JUAN FIDALGO HOLDING CO., INC. OF HEARING EXAMINER'S DECISION RE: FINAL PLAT APPROVAL OF PRELIMINARY PLAT OF SEAVIEW IV.

Chairman Wolden opened the session for the continued appeal by San Juan Fidalgo Holding Co., Inc. of Hearing Examiner's Decision Re: Final Plat Approval of Preliminary Plat of Seaview IV. Chairman Wolden stated that Dave Hough, Director of Planning, had additional comments for the record on this matter.

Mr. Hough advised that at Tuesday's session on this matter Mr. Eglick, attorney for Concerned Citizens of South Burrows Bay (CSBB), submitted portions of a Draft Supplemental Environmental Impact Statement Regarding San Juan Fidalgo Properties. In order to complete the record, the entire document is being submitted as an exhibit (Exhibit #22)

Mr. Hough also directed a question to Ms. Cherberg, President of San Juan Fidalgo Holding Co. Mr. Hough asked if the tapes submitted as part of the record (Exhibit #18) on Tuesday, January 11 contained an accurate all-inclusive record of the meetings of the committee comprised of the Skagit County Public Works Department Skagit County Department of Planning and Community Development, Del Mar Community Association and San Juan Fidalgo. Ms. Cherberg replied in the affirmative that all meetings of the committee were included on the tapes submitted.

The Board indicated that they have reviewed the documents previously presented and the testimony at the January 11 appeal. Commissioner Hart stated that there are three main issues to be considered. The first issue is the contention that the County failed to apply the State statutes on the 30-day time limit. Commissioner Hart expressed that it is apparent from the record that the October 12, 1993 final plat application was not complete and had not been submitted by that date.

The second contention by the applicant is that the requirement to construct the drainage facility was an arbitrary decision by the County and in conflict with the provision that allows a developer to bond for improvements. Commissioner Hart stated that the County approval of the drainage plan was required by the conditions of the preliminary plat and the Drainage Ordinance.

Commissioner Hart indicated that the third contention was whether the conditions of the preliminary plat approval required drainage improvements to be constructed prior to final plat approval. The Planning Commission's findings included references relating to the historical drainage problems in the area. It is the Board's opinion that the intent of the provision for requiring construction of the drainage facility prior to final plat approval was to have the facility in place prior to other construction on the lots that would cause the increase in storm runoff. Without the drainage facility in place, it is the Board's opinion that substantial

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downstream impacts could occur.

For the foregoing reasons, Commissioner Hart moved to deny the appeal based on the findings and information contained in the record of the final plat application.

At this point in the proceedings staff interrupted to advise the Board that the tape recorder was not on for Mr. Hough's additions to the record as stated above. Mr. Hough therefore restated his inclusion in the record of the Draft Supplemental Environmental Impact Statement and his question of Ms. Cherberg whether the tapes submitted at the January 11, 1993 hearing included all of the meetings of the committee formed in reference to Condition #10. Ms. Cherberg again responded affirmatively.

Chairman Wolden restated the motion to deny the appeal based on the findings and the information contained in the record of the final plat application. Commissioner Robinson seconded the motion, which was unanimously approved. (Contract #1877)

MISCELLANEOUS.

The Board reviewed an Interlocal Cooperative Agreement Among Skagit County, Skagit Community Mental Health Center, and Skagit County School Districts. The \$30,707 funding for this agreement will be allocated as follows:

Burlington	\$ 5,000
Concrete	1,250
Mount Vernon	7,500
Sedro Woolley	5,000
Skagit Mental Health Center	2,707
Skagit County	9,250

The agreement expired December 31, 1993. Commissioner Robinson moved to approve the Interlocal Agreement as presented. Commissioner Hart seconded the motion, which was unanimously approved.

SKAGIT COUNTY/CITYPLANNING POLICIES MEETING.

This meeting was cancelled pursuant to a request from Mount Vernon Mayor Reep's office.

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ADJOURNMENT:

Commissioner Robinson motioned to adjourn the proceedings. Commissioner Hart seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON


Harvey Wolden, Chairman


Robby Robinson, Commissioner


Robert Hart, Commissioner

ATTEST:


Patti J. Owen, Clerk
Skagit County Board of Commissioners